IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

TUESDAY, THE 19TH JUNE 2007 / 29TH JYAISHTA 1929

WA.No. 1383 of 2007()

AGAINST THE JUDGEMENT IN WPC.3404/2007 Dated 16/03/2007
.....

APPELLANT: 2ND RESPONDENT:

THE PALAKKUZHA SERVICE CO-OPERATIVE BANK
PALAKKUZHA, MOOVATTUPUZHA.

BY ADV. SRI.P.V.BABY
SRI.A.N.SANTHOSH

RESPONDENTS: PETITIONER & RESPONDENTS 1 & 3:
---

1. THOMAS P.MATHEW, S/O. MATHEW,
PURAVAKKATTU HOUSE, KOOTHATTUKULAM P.O.,
ERNAKULAM DISTRICT.

2. STATE OF KERALA,
REPRESENTED BY THE SECRETARY,CO-OPERATIVE DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

3. SPECIAL SALE OFFICER,
PALAKKUZHA SERVICE CO-OPERATIVE BANK GROUP,
MOOVATTUPUZHA.

BY SPL.GOVT. PLEADER SMT.A.G.ANEETHA

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 19/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L.DATTU, C.J. & K.T.SANKARAN, J.

W.A.No.1383 of 2007

Dated, this the 19th day of June, 2007

JUDGMENT

H.L.Dattu, C.J.

This writ appeal is directed against the orders passed by a learned Single Judge in W.P.(C) No.3404 of 2007 dated 16th March, 2007. By the impugned order the learned Single Judge has granted some breathing time to the petitioner in the writ petition for payment of the amounts due to the respondent Bank.

2. While doing so, this Court has also observed that if for any reason, the petitioner fails to pay the amount as directed by this Court, the respondents are at liberty to take appropriate proceedings to recover the entire dues from the petitioner.

3. Having gone through the orders passed by the learned Single Judge and also having gone through the liberty that is reserved to the respondent Bank in the writ petition to recover any dues from the petitioner, we are of the view that no injustice has been caused to the appellant herein. In that view of the matter, we decline to entertain this writ appeal. Accordingly it requires to be rejected and it is rejected. Ordered accordingly.

(**H.L.DATTU)**
CHIEF JUSTICE

(K.T.SANKARAN)
JUDGE

vns